

1 QUIN DENVER, Bar #49374
2 Federal Defender

3 MATTHEW C. BOCKMON, Bar #161566
4 Assistant Federal Defender
5 Designated Counsel for Service
6 801 I Street, 3rd Floor
7 Sacramento, California 95814
Telephone: (916) 498-5700

8
9 Attorney for Defendant
10 MATTHEW WALLACE SCHACHTER
11 aka ROBERT LEWIS BROWN

12 IN THE UNITED STATES DISTRICT COURT

13 FOR THE EASTERN DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,) NO. CR-S-05-59 DFL
15 v. Plaintiff,)
16 MATTHEW WALLACE SCHACHTER,) STIPULATION AND [PROPOSED] ORDER
17 aka Robert Lewis Brown,) CONTINUING MOTION HEARING/STATUS
18 aka Matthew Rollins; and) CONFERENCE
LLOYD THOMPSON) Date: September 15, 2005
Defendants.) Time: 10:00 a.m.
) Judge: David F. Levi
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20 The United States of America through Robin R. Taylor, Assistant
21 United States Attorney; Lloyd Thompson, by and through his counsel,
22 Dwight M. Samuel; and Matthew Schachter, by and through his counsel,
23 Matthew C. Bockmon, Assistant Federal Defender, agree to vacate the
24 motion hearing and status conference hearing date of July 25, 2005 and
25 continue the matter for further status conference on September 15,
26 2005, at 10:00 a.m..

27 Mr. Schachter has been transferred from the Sacramento County Mail
28 Jail to the San Joaquin Hospital. He has had to undergo one surgery

1 and is scheduled for an additional surgery this week. The results of a
2 biopsy were received this week and confirm that he has lymphatic
3 cancer. Preliminary reports from his physician indicate that he will
4 have to undergo a tracheotomy as well as extensive chemo-therapy. His
5 physical condition currently makes it impossible for him to communicate
6 with his attorneys or assist in his defense.

7 In light of the above-facts, the parties, through their respective
8 attorneys hereby stipulate to continue the status conference/motions
9 hearing in this case until September 15, 2005, at 10:00 a.m. IT IS
10 FURTHER STIPULATED that the period from July 25, 2005 through and
11 including September 15, 2005 be excluded in computing the time within
12 which trial must commence under the Speedy Trial Act, pursuant to 18
13 U.S.C. § 3161(h)(4) and Local Code N as Mr. Schachter is physically
14 unable to stand trial.

15 Dated: July 27, 2005

16 Respectfully submitted,

17 QUIN DENVER
Federal Defender

18 /s/ Matthew C. Bockmon

19 MATTHEW C. BOCKMON
20 Assistant Federal Defender
21 Attorney for Defendant
22 MATTHEW WALLACE SCHACHTER
aka Robert Lewis Brown

23 /s/ Matthew C. Bockmon for

24 DWIGHT M. SAMUEL
25 Attorney for Defendant
26 LLOYD THOMPSON
per telephonic authorization

27 ///

28 ///

1 Dated: July 27, 2005

2 MCGREGOR W. SCOTT
3 United States Attorney

4 /s/ Matthew C. Bockmon for

5 ROBIN TAYLOR
6 Assistant U.S. Attorney
7 per telephonic authority

8 **O R D E R**

9 IT IS SO ORDERED.

10 /s/ David F. Levi

11 Dated: July 27, 2005

12 DAVID F. LEVI
13 United States District Court